

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 C.J.B.,

9 Plaintiff,

10 v.

11 UNITED STATES OF AMERICA and
12 SEATTLE SCHOOL DISTRICT,

13 Defendants.

No. C17-0980RSL

ORDER OF DISMISSAL AND REMAND


14
15 This matter comes before the Court on the “United States’ Motion to Dismiss Pursuant to
16 Rule 12(b)(1).” Dkt. # 7. The parties agree that the Court does not have subject matter
17 jurisdiction over the United States in this litigation and that the claims against it must be
18 dismissed. Plaintiff requests that the remaining claims against the Seattle School District be
19 remanded to King County Superior Court for resolution. The School District argues that judicial
20 economy and fundamental fairness require that this matter be stayed for five months to give
21 plaintiff the opportunity to exhaust her administrative remedies, refile her claims against the
22 United States, and have them consolidated in this action.

23 The United States’ motion to dismiss is GRANTED. The Court does not have subject
24 matter jurisdiction over the claims asserted against the United States and declines to exercise
25 supplemental jurisdiction over the claims against the Seattle School District. The Clerk of Court
26 is therefore directed to remand this matter to King County Superior Court. If the School District

ORDER OF DISMISSAL AND REMAND

1 believes a stay is warranted in these circumstances, it can negotiate a case management plan with
2 plaintiff and/or bring a motion before the state court.

3
4 Dated this 7th day of August, 2017.

5 
6 Robert S. Lasnik
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26